IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 6TH SEPTEMBER 2007 / 15TH BHADRA 1929

CRP.No. 488 of 2000(A)

CMA.98/1997 of ADDL. DISTRICT COURT, PARAVUR
OS.415/1997 of MUNSIFF COURT, PARAVUR
(IA 1220/97)
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REVN. PETITIONERS/APPELLANTS/RESPONDENTS:
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1. JOSEPH, S/O. OUSEPH, AGED 59 YEARS,
MOOLAM VEEDU, MANAKKODAM MURI,
CHENNAMANGALAM VILLAGE, PARUR TALUK.

2. SUDHEESH, S/O. PRABHAKARAN, AGED 36 YEARS,
THEKKETHALAKAL, DO DO

(THE POWER OF ATTORNEY HOLDER OF THE 1ST REVISION PETITIONER)

BY ADV. SRI.V.A.PRADEEP KUMAR

RESPONDENTS/PETITIONER:
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1. PUSHPAVALLY, W/O.KUTTAN,
PATHRAKADAVIL, PARUR VILLAGE,
VALIYAPALLAMTHURUTH MURI.

2. MMARY, W/O. JOSEPH,
MOOLAM VEEDU, MANAKKODAM MURI,
CHENNAMANGALAM VILLAGE, PARUR TALUK

BY ADV. SRI.G.D.PANICKER
SMT.JEENA JOSEPH

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 06/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N.KRISHNAN, J.

C.R.P.NO.488 OF 2000-A

Dated this the 6th day of September, 2007.

O R D E R

This revision petition is preferred against the order of the Additional District Court, North Parur, in C.M.A.No.99/1997. The suit O.S.No.415/1997 was filed by the revision petitioners. Along with the suit, they moved I.A.No.1263/1997. In O.S.No.415/1997, I.A.No.1220/1997 was filed. The trial court, on a consideration of the materials, dismissed I.A.No.1263/1997 and granted an order of injunction in I.A.Nos.1220/1997 and 1563/1997. Against the said decision, C.M.As 98,99 and 100 of 1997 were filed before the Additional District Judge, North Parur. The learned Additional District Judge by a common order dismissed all the C.M.As. C.M.A.No.99/1997 was dismissed confirming the order of the court below in I.A.No.1220/1997 in O.S.No.415/1997. Against C.M.As.98 and 100 of 1997, civil revision petitions were filed as C.R.P.Nos.486 and 487 of 2000. Both these civil revision petitions were dismissed by this Court by order dated 3rd March, 2000. This Court did not admit these civil revision petitions. Present C.R.P.No.488/2000 is filed against the order in C.M.A.No.99/1997, which was filed against

I.A.No.1220/1997 in O.S.No.415/1997. The courts below and this Court after a consideration of the common order passed in the cases, came to the conclusion that there is nothing to interfere with the decision rendered by the learned Munsiff. Since the matter is interconnected and related, naturally the dismissal of C.R.P.Nos. 486 and 487 of 2000 will have a binding force on this C.R.P as well.

Therefore, I do not find any merit in this civil revision petition and dismiss the same. But, I make it clear that the court below shall dispose of the suit untrammeled by the observations contained in any of the orders passed at the interlocutory stage.

M.N. KRISHNAN, JUDGE.

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M.N.KRISHNAN, J.

C.R.P.NO.488 OF 200076

O R D E R

6th September, 2007.